

### REMARKS

On September 17, 2007 applicant submitted the attached claim amendments in a response to the final Office Action dated August 1, 2007. On October 11, 2007 the Examiner issued an Advisory Action stating that the response to the final Office Action would not be entered because the claim amendments raised new issues that would require further consideration and/or search. On October 23, 2007 applicant conducted a telephone interview with the Examiner to discuss the submitted claim amendments. Applicant wishes to thank the Examiner for the courtesy of the telephone interview. During the telephone interview, it was discussed that in the Office Action dated December 19, 2003, the Examiner stated that claim 23 would be allowable if it was amended to incorporate the limitations of claim 21 from which it depended. In the response filed June 21, 2004, applicant amended claim 23 to incorporate the limitations of claim 21 so as to place the application in condition for allowance. However, the response filed on June 21, 2004 was considered non-compliant for failing to include a complete listing of the claims. In subsequent responses to address the non-compliant rejection, applicant unintentionally transposed characters in claim 23 resulting in the rejection raised in the final Office Action dated August 1, 2007.

Accordingly, in the attached response and in the prior response to the final Office Action, applicant is merely amending claim 23 back to the originally allowed format as filed in the response dated June 21, 2004. The only exception is that claim 23 now also incorporates the amendments filed in the response dated May 21, 2007 which were made to address the rejection under Section 101, i.e., claim 23 now recites “storing the one or more biological inferences on a computer readable medium.” This amendment was previously accepted by the Examiner to overcome the Section 101 rejection. Thus, because claim 23, as attached, has already been

searched by the Examiner and found allowable, applicant submits and the Examiner agreed during the telephone interview that the attached claim amendments do not raise new issues that will not require further consideration and/or search. As such, the Examiner agreed that the present amendment will be entered.

Finally, because claim 23, as amended herein, is now fully supported by the equation at pages 31 and 32 of the application as originally filed, withdrawal of the rejections under 35 USC § 112, first and second paragraphs, as set forth in the final Office Action is respectfully requested. As no other objections or rejections are set forth in the Office Action, applicant respectfully requests the allowance of claims 23-28 as amended and presented herein.

In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Dated this 25<sup>th</sup> day of October 2007.

Respectfully submitted,

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